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10 IN THE UNITED STATES BANKRUPTCY COURT
11 FOR THE WESTERN DISTRICT OF WASHINGTON
12 AT SEATTLE

13 In re:

14 HWC BURBS BURGERS LLC

15 Debtor.

Case No. 23-41110-MJH

**ORDER GRANTING PIONEER
SQUARE DEVELOPMENT LENDER,
LLC'S MOTION TO GRANT RELIEF
FROM STAY TO PERMIT DISPOSAL
OF PERSONAL PROPERTY AND
APPLY SECURITY DEPOSIT
AGAINST OUTSTANDING
AMOUNTS OWED BY DEBTOR**

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20 This matter having come before the Court on *Pioneer Square Development Lender, LLC's*
21 *Motion to Grant Relief From Stay to Permit Disposal of Personal Property and Apply Security*
22 *Deposit Against Outstanding Amounts Owed by Debtor* (the "**Motion**"); and this Court having
23 jurisdiction to consider the Motion and the relief requested therein pursuant to 28 U.S.C. §§ 157 and
24 1334; and consideration of the Motion and the requested relief being a core proceeding pursuant to
25 28 U.S.C. § 157(b); and venue being proper before this Court pursuant to 28 U.S.C. §§ 1408 and
26

(PROPOSED) ORDER GRANTING MOTION
FOR RELIEF FROM STAY - 1

K&L GATES LLP
925 FOURTH AVENUE
SUITE 2900
SEATTLE, WASHINGTON 98104-1158
TELEPHONE: (206) 623-7580
FACSIMILE: (206) 623-7022

1 1409; and the Court having found and determined that notice of the Motion as provided to the parties
2 listed therein is reasonable and sufficient, and it appearing that no other or further notice need be
3 provided; and this Court having reviewed the Motion, the *Declaration of Joseph Polito in Support of*
4 *Motion*, the *Declaration of Brian T. Peterson in Support of the Motion*, any responses to the Motion
5 and any replies thereto; and this Court having determined that the legal and factual bases set forth in
6 the Motion establish just cause for the relief granted herein;

7 **NOW THEREFORE, IT IS HEREBY ORDERED THAT:**

8 1. The Motion is **GRANTED** as set forth herein.

9 2. Pursuant to 11 U.S.C. § 544(b), the estate's interest in any personal property located
10 at the Debtor's former restaurant location with the common address of 201 King Street, Seattle, WA
11 98104 (the "**Premises**"), is hereby abandoned.

12 3. Pioneer Square Development Lender, LLC is hereby granted relief from the
13 automatic stay pursuant to 11 U.S.C. § 362(d)(1) to remove and/or dispose of any personal property
14 in the Premises, and to take all actions necessary to effectuate the relief granted in this Order.

15 4. Pioneer Square Development Lender, LLC is hereby granted relief from the
16 automatic stay pursuant to 11 U.S.C. § 362(d)(1) to apply the Debtor's security deposit against its
17 prepetition claim for unpaid rent.

18 5. This Order granting Pioneer Square Development Lender, LLC relief from the
19 automatic stay shall not be subject to the fourteen-day stay provided in Rule 4001(a)(3) of the
20 Federal Rules of Bankruptcy Procedure.

21 **///END OF ORDER///**

1 Presented by:
2 K&L GATES LLP

3
4 By: /s/ Brian T. Peterson
5 Brian T. Peterson, WSBA #42088
6 Ruby A. Nagamine, WSBA #55620

7 925 Fourth Avenue, Suite 2900
8 Seattle, WA 98104-1158
9 Telephone: (206) 623-7580
10 Email: brian.peterson@klgates.com
11 ruby.nagamine@klgates.com

12 *Attorneys for Pioneer Square Development Lender, LLC*